

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

GRETCHEN S. STUART, M.D., et al.,)	
)	
Plaintiffs,)	
)	
v.)	CIVIL ACTION
)	
RALPH C. LOOMIS, M.D., et al.,)	Case No. 1:11-cv-00804
)	
Defendants.)	

**PLAINTIFFS' MOTION TO STRIKE THE DECLARATIONS OF DRs. THORP,
MCCAFFREY, AND BRANNON, AND PORTIONS OF THE DECLARATIONS
OF CHIMERE COLLINS, DANELLE HALLENBECK, AND TRACIE JOHNSON**

Pursuant to Federal Rules of Civil Procedure 56(c)(2) and 37(c)(1), Plaintiffs hereby move this Court to strike the declarations of Drs. Thorp, McCaffrey, and Brannon, and to strike portions of the declarations of Chimere Collins, Danelle Hallenbeck, and Tracie Johnston. Plaintiffs are entitled to an order striking these materials from the summary judgment record for the reasons set forth in the accompanying Memorandum of Law.

WHEREFORE, Plaintiffs respectfully request that this Court issue an order striking the declarations of Drs. Thorp, McCaffrey, and Brannon, and striking the inadmissible testimony from the declarations of Chimere Collins, Danelle Hallenbeck, and Tracie Johnston identified in Plaintiffs' Memorandum of Law.

Dated: December 3, 2012

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on the 3rd day of December, 2012, I electronically filed the foregoing Motion to Strike with the clerk of the court by using the CM/ECF system, which will send a notice of electronic filing.

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